

## **REMARKS**

The amendments to dependent claims 19-21 and 26 are fully supported by the description in the specification (e.g., page 5, lines 22-24; page 6, lines 16-18; page 13, lines 4-6; page 21, lines 11-21; page 25, line 21 to page 26, line 6; page 26, lines 14-22; FIGS. 1, 10, and 19; etc.).

No new matter has been added. Upon entry of this Response, claims 11-21 and 25-26 remain present and active in the application.

### **Informal Matters**

The undersigned respectfully disagrees with a portion of the Examiner's recollection of their telephonic discussion of February 9, 2009—specifically, with the statement in the Final Office Action (page 2, section 5) that “the Examiner was not informed ‘that if the rejection under 35 U.S.C. § 112, first paragraph is maintained in a future Office Action, Applicant will likely seek relief through an appeal to the Board of Patent Appeals and Interferences.’”

While the undersigned respectfully submits that this intention to appeal was expressed to the Examiner during the telephonic discussion, the point is really moot for two reasons: first, since the pending claims had been twice rejected at the time of the telephonic discussion, the grounds of rejections were most certainly eligible for appeal under 35 U.S.C. § 134(a) and 37 CFR 41.31(a)(1), and Applicant clearly has the right to seek such an appeal; and second, in view of the present amendments to the claims adopted herewith, which fully adopt the Examiner's requested changes to dependent claims 19-21 and 26, Applicant has opted to forego the appeals process to which he is entitled and instead has placed the claims in condition for allowance.

### **Claim Rejections – 35 U.S.C. § 112, First Paragraph**

The rejection of claims 19-21 and 26 under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement has been obviated by amendment.

For the record, Applicant respectfully maintains that the recitation of an “output part” in dependent claims 19-21 and 26 was both adequately described in the specification and

shown in the drawings to enable one of ordinary skill in the art to understand that Applicant was in full possession of this aspect of the claimed invention at the time the application was filed. In support of this position, Applicant refers to the arguments and citations set forth on pages 5 and 6 of the Response filed September 8, 2008.

Nevertheless, in an effort to expedite the allowance of this application, Applicant has elected to rewrite dependent claims 19-21 and 26 to recite a "display" rather than an "output part" in accordance with the Examiner's preference. Accordingly, withdrawal of this ground of rejection is respectfully requested.

#### **Claim Rejections – 35 U.S.C. § 112, Second Paragraph**

The rejection of claims 19-21 and 26 under 35 U.S.C. § 112, second paragraph, as being indefinite for allegedly failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention has been obviated by amendment.

As noted above, the phrase "output part" recited in dependent claims 19-21 and 26 has been replaced with the term "display" in accordance with the Examiner's preference.

Accordingly, withdrawal of this ground of rejection is respectfully requested.

#### **Allowable Subject Matter**

The Examiner's indication that claims 11-21 and 25-26 are "free of prior art" and contain allowable subject matter is noted with appreciation. Since the rejections of dependent claims 19-21 and 26 under 35 U.S.C. § 112 have been obviated by amendment, as explained above, Applicant respectfully submit that claims 11-21 and 25-26 are allowable as presently written.

#### **Conclusion**

In view of the Amendment and Remarks set forth above, Applicant respectfully submits that the claimed invention is in condition for allowance. Early notification to such effect is earnestly solicited.

If for any reason the Examiner feels that the above Amendment and Remarks do not put the claims in condition to be allowed, and that a discussion would be helpful to

advance prosecution, it is respectfully requested that the Examiner contact the undersigned agent directly at (312)-321-4257.

Respectfully submitted,

  
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